

8/29/1989



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DIVISION OF AIR AND HAZARDOUS MATERIALS
291 Promenade Street
Providence, R. I. 02908-5767

LETTER OF DEFICIENCY
UNDER THE
HAZARDOUS WASTE MANAGEMENT ACT
29 August 1989
Certified Mail

Ms. Rachael Marino
Navel Education and Training Center
Newport, RI 02840-5000

Dear Ms. Marino:

On 28 July 1989 Cynthia Gianfrancesco from the Rhode Island Department of Environmental Management (DEM) and Frank Battaglia from the United States Environmental Agency (EPA) conducted an inspection of the Navel Education Training Center (NETC) in order to determine your compliance status with the regulations promulgated pursuant to the Rhode Island Hazardous Waste Management Act of 1978.

As a result of that inspection it was determined that NETC is in violation of the following requirements of the Rhode Island Rules and Regulations for Hazardous Waste Generation, Transportation, Storage, and Disposal amended 20 October 1988:

1. The facility owner or operator must maintain an updated Hazardous Waste Personnel Training Plan and training documentation at the facility (Rule 9.06; 40 CFR 264.16). Specifically, at the time of the inspection it was determined that numerous personnel have not received the required annual training review.
2. The facility owner or operator must comply with all of the conditions as stated in the RI DEM Hazardous Waste Facility Permit issued to NETC 10 September 1986, including compliance with Section VI-Contingency Plan and Emergency Procedures. Specifically, Section VI of the permit clearly states that a permanent closure plan for Tanks No. 53 and 56 in Tank Farm 5 was to be submitted, and closure scheduled for calendar year 1988. The closure plan was submitted and approved by DEM 1 February 1989, but recent correspondence with NETC has indicated that closure of the tanks is not scheduled for completion as required.

COMPLIANCE SCHEDULE

- A. Submit to the Department, by 29 September 1989, documentation that all personnel have received the required training, including training within 6 months for new personnel, and annual reviews for old personnel.
- B. IMMEDIATELY begin compliance with the following schedule for the closure of Tanks 53 and 56:
1. 1 November 1989 - Submit all data necessary to the appropriate authority to obtain the required permits and/or licenses for the discharge of the water layer of the tanks contents. This should include the final design specifications for the counter current aeration stripping treatment system as approved by the permitting authority. If NETC is not able to obtain a permit through the Newport Waste Water Treatment plant you must contact Angelo Liberti, RI DEM Division of Water Resources (277-6519) to obtain a RIPDES permit or Order of Approval. The Department estimates that issuance of the discharge permit will occur by 1 December 1989. Please keep this Division informed as to your progress in obtaining the required permits.
 2. 1 November 1989 - In accordance with The Departments letter of 1 February 1989, the following information must be provided to the Department:
 - ✓ a. A detailed description of the method proposed to determine that the walls of the concrete tanks are non-hazardous must be submitted for approval.
 - ✓ b. A detailed description of a well sampling plan, including the number of samples to be taken, and when and from what wells the samples will be collected must be submitted to the Department. This must also include a description of the chemical analysis to be conducted.
 3. Within 30 days from the issuance of the waste water discharge permit (approx. 1 January 1990), submit for approval to this Division the final plans and specifications for the commencement of closure operations. This must include, but is not limited to, detailed step-by-step procedures for removing each of the layers from the tanks, as well as arrangements made with hazardous waste transporters and Treatment, Storage and Disposal Facilities who will be handling the waste.
 4. Within 30 days of approval from DEM (approx. 1 March 1990) commence removal of the oil layer from Tank 53 and 56. In conjunction with the removal of the oil layer the construction of the aeration stripping treatment system and temporary pipeline to the waste water discharge point must begin.

*Beau sent
Terry P. 8/1*

5. Within 30 days of completion of the treatment system and discharge pipeline (approx. 1 May 1990), begin removal and treatment of the water layer from Tank 53 and 56. This operation is estimated to take from 30 to 90 days.
6. Within 30 days of completion of water layer removal (approx. 1 September 1990) being removal of sludge layer of Tank 53 and 56.
7. Within 30 days of completion of sludge layer removal, (1 November 1990), begin tank cleaning operations. In conjunction with this operation being groundwater decontamination measures.
8. Upon completion of tank cleaning and implementation of groundwater decontamination measures (approx. 1 December 1990) implement 2 year groundwater monitoring program.
9. Within 90 days, or as NETC deems necessary, reballast tanks with sand.

A copy of the Rhode Island Rules and Regulations for Hazardous Waste Generation, Transportation, Treatment, Storage and Disposal was left at your facility on the day of the inspection. Sections 8.00 and 9.00 pertain to hazardous waste facilities. Be aware that NETC is responsible for complying with all of the regulations stated therein.

The Department would like to make clear that NETC is now under order to commence closure of Tanks 53 and 56. Closure of these tanks is a condition of NETC's Rhode Island Department of Environmental Management Hazardous Waste Facility Permit. Failure to comply with or request an extension for any of the above-cited requirements will automatically result in the issuance of a Notice of Violation and Order and Penalty, and is grounds for permit revocation. Enforcement actions resulting from continued non-compliance may result in a maximum fine of \$10,000 per day and/or five (5) years imprisonment.

All correspondences should be sent to the attention of Cynthia Gianfrancesco. If you have any questions regarding this letter please contact Cynthia at 277-2797.

Sincerely,



Beverly Migliore, Principal Engineer
Division of Air and Hazardous Materials

cc: Ms. Anne Fenn, Fed.Fac.Pgm.Mgr., Region I EPA
Frank Battaglia, Region I EPA
CDR John Collins, Chief of Naval Operations, Navy Dept.
Richard Gillespie, Env.Qual.Div., NORTHNAVFACENCOM, Phila.
NETC.LOD